



In Reply To:

MTM 94876
(922.TV)

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Montana State Office
5001 Southgate Drive, P.O. Box 36800
Billings, Montana 59107-6800
<http://www.mt.blm.gov/>



August 24, 2005

NOTICE

CORRECTIONS AND AMENDMENT

Competitive Oil & Gas Lease Sale October 12, 2005

Corrections of the land descriptions are made on the following parcels:

10-05-66

T. 153 N, R. 93 W, 5th PM, ND PD

- Sec 5: SWNW;
- 8: Lots 2, 4;
- 13: SESW;
- 15: SWSE;
- 26: Part of Lot 1 (13.23 ac)
Part of Lot 2 (7.33 ac)
Part of Lot 3 (21.84 ac);
- 26: NENW
Part of SENW (35.87 AC)
Part of NWSE (39.21 ac)
SESE;
- 35: Part of Lot 1 (13.55 ac)
Part of Lot 2 (9.09 ac);
- 35: E2NE;

Mountrail 462.62 AC

Stipulations: CSU-3, Cultural Resources, Form 3109-2,
Information Notice-1 (COE), NSO-2, Standard, Army-Controlled
Real Property (COE), TES

10-05-68

T. 153 N, R. 93 W, 5th PM, ND ACQ
sec. 20: Part of SENE (16.75 ac)
Part of NESE (26.64 ac)

Mountrail 43.39 AC

50% U.S. MINERAL INTEREST 2/

Stipulations: Cultural Resources, Form 3109-2,
Information Notice-1 (COE), NSO-2, Standard, Army-Controlled Real
Property (COE), TES

10-05-100

T. 152 N, R. 103 W, 5th PM, ND ACQ

sec. 23: Part of Lot 2 (26.40 ac)
Part of Lot 3 (17.94 ac);
Lot 4 (20.10 ac);

McKenzie 64.44 AC

Stipulations: CSU-3, Cultural Resources, Form 3109-2,
Information Notice-2 (COE), NSO-2, Standard, Army-Controlled
Real Property (COE), TES

Attached are the corrected stipulation pages showing the changes in land descriptions.

* * * *

The following parcels and stipulations are added to the sale list:

10-05-113

T. 151 N, R. 93 W, 5TH PM, ND ACQ

sec. 5: Lot 1 (40.79 ac)
Lot 2 (40.81 ac)
Lot 3 and accretion to Lot 3 (22.47 ac)
Part of Lot 4 (40.00 ac)
Part of Lot 5 (25.50 ac);
5: S2NE, NESW, S2SW, SE;
6: Lot 5 (32.11 ac);
7: Part of Lot 1 (38.05 ac)
Lot 2 (10.69 ac)
Part of Lot 4 (26.61 ac)
Lot 5 (32.11 ac)
Lot 6 (19.44 ac);
7: SENE, SESW, SE;
8: NW, NWSWSW, W2SWSWSW, W2E2SWSWSW;

Mountrail 1106.80 AC

Stipulations: CSU-3, Cultural Resources, Form 3109-2,
Information Notice-6 (COE), NSO-2, Standard, Army-Controlled
Real Property (COE), TES

10-05-114

T. 151 N, R. 93 W, 5TH PM, ND ACQ

sec. 15: S2;
16: W2NESW, NWSW, S2SW, W2SWSE;
17: ALL;
18: Lots 1,2,3,4;
18: E2, E2W2;

Mountrail 1738.05 AC

Stipulations: CSU-3, Cultural Resources, Form 3109-2,
Information Notice-7 (COE), NSO-2, Standard, Army-Controlled
Real Property (COE), TES

10-05-115

T. 151 N, R. 93 W, 5TH PM, ND ACQ

sec. 19: Lots 1, 2, 3, 4;

19: E2, E2W2;

20: NW;

30: Lots 1, 2, 3, 4;

30: NWNE, W2SWNE, E2NW, NESW, NWNESESW, N2NWSESW,
SWNWSESW, W2SWNWSE;

31: Lots 1, 2, 3, 4;

Mountrail 1251.52 AC

Stipulations: CSU-3, Cultural Resources, Form 3109-2,
Information Notice-8 (COE), NSO-2, Standard, Army-Controlled
Real Property (COE), TES

CORPS OF ENGINEERS

INFORMATION NOTICE

- No surface occupancy for that portion of the lease area subject to inundation, lying below contour elevation 1855 feet m.s.l.
- No surface occupancy within 300 feet of six identified archaeological sites within the lease area. All activities must be coordinated with the Corps of Engineers Archaeologist located at the Garrison Dam/Lake Sakakawea Project Office.
- In the event that directional drilling is contemplated, all facilities constructed on project lands, which can be damaged by flood water and which cannot be readily moved if a flood is imminent, must be constructed from a location approved by the District Engineer. The location must be above or adequately protected by a dike enclosure to an elevation to be determined at the time of drilling, plus the additional height determined necessary to protect against windwave runoff and overtopping.

10-05-113

COE Information Notice-6

CORPS OF ENGINEERS

INFORMATION NOTICE

- No surface occupancy for that portion of the lease area subject to inundation, lying below contour elevation 1855 feet m.s.l.
- No surface occupancy within 300 feet of five identified archaeological sites within the lease area. All activities must be coordinated with the Corps of Engineers Archaeologist located at the Garrison Dam/Lake Sakakawea Project Office.
- No surface occupancy within Lots 1,2,3,4, the NE and the E2W2 of Section 18 of the lease area due to the existing recreation area which has a high and low water boat ramp and a day use area.
- In the event that directional drilling is contemplated, all facilities constructed on project lands, which can be damaged by flood water and which cannot be readily moved if a flood is imminent, must be constructed from a location approved by the District Engineer. The location must be above or adequately protected by a dike enclosure to an elevation to be determined at the time of drilling, plus the additional height determined necessary to protect against windwave runup and overtopping.

10-05-114

COE Information Notice-7

CORPS OF ENGINEERS

INFORMATION NOTICE

- No surface occupancy for that portion of the lease area subject to inundation, lying below contour elevation 1855 feet m.s.l.
- No surface occupancy within 300 feet of four identified archaeological sites within the lease area. All activities must be coordinated with the Corps of Engineers Archaeologist located at the Garrison Dam/Lake Sakakawea Project Office.
- In the event that directional drilling is contemplated, all facilities constructed on project lands, which can be damaged by flood water and which cannot be readily moved if a flood is imminent, must be constructed from a location approved by the District Engineer. The location must be above or adequately protected by a dike enclosure to an elevation to be determined at the time of drilling, plus the additional height determined necessary to protect against windwave runup and overtopping.

10-05-115

COE Information Notice-8

**Required Stipulations in Mineral Leases
on Army-Controlled Real Property**

CORPS OF ENGINEERS STIPULATION

1. The Secretary of the Army or designee reserves the right to require cessation of operations if a national emergency arises or if the Army needs the leased property for a mission incompatible with lease operations. On approval from higher authority, the commander will give the lessee written notice or, if time permits, request BLM to give notice of the required suspension. The lessee agrees to this condition and waives compensation for its exercise.
2. If the commander or the commander's authorized representative discovers an imminent danger to safety or security which allows no time to consult BLM, that person may order such activities stopped immediately. The state BLM Director will be notified immediately, will review the order, and will determine the need for further remedial action.
3. If contamination is found in the operating area, the operator will immediately stop work and ask the commander or commander's representative for help.
4. Lessee liability for damage to improvements shall include improvements of the Department of Defense.
5. Before beginning to drill, the lessee must consult with third parties authorized to use real estate in the leased area and must consider programs for which third parties have contractual responsibility.
6. A license to conduct geophysical test on the leased area must be obtained separately from the installation commander or the District Commander.
7. Civil works only: conditions in BLM Form 3109-2, Stipulation for Lands Under Jurisdiction of Department of the Army Corps of Engineers, or successor form.

10-05-66 THRU 10-05-71
10-05-74 THRU 10-05-75
10-05-91
10-05-96
10-05-100
10-05-113 THRU 10-05-115

**COE Stipulation on Army-Controlled
Real Property**

CONTROLLED SURFACE USE STIPULATION

Surface occupancy or use is subject to the following special operating constraints.

No disturbance of riparian areas of wetlands, intermittent, ephemeral, or perennial streams and rivers would be allowed except for essential road and utility crossings.

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
10-05-66	T. 153 N, R. 93 W, 5 TH PM Sec. 5: SWNW; 13: SESW; 15: SWSE; 26: Parts of Lots 1, 2, 3, NENW, SESE; Parts of SENW and, NWSE; 35: Parts of Lots 1, 2; E2NE;
10-05-67	T. 153 N, R. 93 W, 5 TH PM Sec. 5: E2SW, SE; 8: N2NE;
10-05-69	T. 153 N, R. 93 W, 5 TH PM Sec. 22: SWNE, E2NW, NWSE
10-05-70	T. 153 N, R. 93 W, 5 TH PM Sec. 36: W2E2NW, W2W2, NWNESW, S2NESW, SESW, S2SWSE
10-05-71	T 147 N, R. 94 W, 5 TH PM Sec. 32: NW, NWSW
10-05-73	T. 154 N, R. 94 W, 5 TH PM Sec. 25: NWSW
10-05-74	T. 154 N, R. 94 W, 5 TH PM Sec. 31: NWSE
10-05-75	T. 154 N, R. 94 W, 5 TH PM Sec. 31: Parts of Lots 2,3,4,5; NESE;

PARCEL NO.

LAND DESCRIPTIONS

10-05-85	T. 153 N, R. 97 W, 5 TH PM Sec. 19: Lot 4, SESW; 30: Lot 1, NENW;
10-05-90	T. 152 N., R. 98 W., 5 th PM Sec. 5: Lots 2, 4, 10, 11, 12; 6: Lots 9, 14, SWSE 7: Lot 1, N2NE, NENW;
10-05-91	T. 153 N, R. 98 W, 5 TH PM Sec. 25: W2NE; 34: NESW; 35: NENE;
10-05-96	T. 152 N, R. 101 W, 5 TH PM Sec. 1: S2SW; 2: Lots 9, 10;
10-05-100	T. 152 N, R. 103 W, 5 TH PM Sec. 23: Parts of Lots 2 and 3; Lot 4;
10-05-106	T. 151 N, R. 104 W, 5 TH PM Sec. 26: Lots 1, 3, 4, W2NE
10-05-107	T. 153 N, R. 104 W, 5 TH PM Sec. 10: Lot 1
10-05-113	T. 151 N., R. 93 W., 5 th PM Sec. 5: Lots 1, 2; 5: Lot 3 and accretion to Lot 3; 5: Parts of Lots 4 and 5; 5: S2NE, NESW, S2SW, SE; 6: Lot 5; 7: Lots 2, 5, 6; 7: Parts of Lots 1 and 4; 7: SENE, SESW, SE; 8: NW, NWSWSW, W2SWSWSW, W2E2SWSWSW;
10-05-114	T. 151 N., R. 93 W., 5 th PM Sec. 15: S2; 16: W2NESW, NWSW, S2SW, W2SWSE; 17: ALL; 18: Lots 1, 2, 3, 4; 18: E2, E2W2;

PARCEL NO.

LAND DESCRIPTIONS

10-05-115

T. 151 N., R. 93 W., 5th PM
Sec. 19: Lots 1, 2, 3, 4;
19: E2, E2W2;
20: NW;
30: Lots 1, 2, 3, 4;
30: NWNE, W2SWNE, E2NW, NESW,
NWNESESW, N2NWSESW, SWNWSESW,
W2SWNWSE;
31: Lots 1, 2, 3, 4;

For the purpose of:

Protection of riparian habitat (NDRMP - p. 20).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

Cultural Resources Lease Stipulation

This lease may be found to contain historic properties and/or resources protected under the National Historic Preservation Act (NHPA), American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, E.O. 13007, or other statutes and executive orders. The BLM will not approve any ground disturbing activities that may affect any such properties or resources until it completes its obligations under applicable requirements of the NHPA and other authorities. The BLM may require modification to exploration or development proposals to protect such properties, or disapprove any activity that is likely to result in adverse effects that cannot be successfully avoided, minimized or mitigated.

10-05-01 THRU 10-05-53
10-05-65 THRU 10-05-71
10-05-73 THRU 10-05-75
10-05-85
10-05-90 THRU 10-05-91
10-05-96
10-05-98
10-05-100
10-05-106 THRU 10-05-107
10-05-112 THRU 10-05-115

Cultural Resources

Form 3109-2

(December 1970)

(formerly 3103-3)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

**STIPULATION FOR LANDS UNDER JURISDICTION
OF DEPARTMENT OF THE ARMY,
CORPS OF ENGINEERS**

Serial Number

Name of Project

The lands embraced in this lease issued under the Mineral Leasing Act of February 25, 1920 (41 Stat. 437; 30 U.S.C. 181 *et seq.*), as amended, or the Mineral Leasing Act for Acquired Lands of August 7, 1947 (61 Stat. 913; 30 U.S.C. 351 *et seq.*) being under the jurisdiction of the Department of the Army, Corps of Engineers, the lessee hereby agrees:

(1) That *all* rights under this lease are subordinate to the rights of the United States to flood and submerge the lands, permanently or intermittently, in connection with the operation and maintenance of the above-named project.

(2) That the United States shall *not* be responsible for damages to property or injuries to persons which may arise from or be incident to the use and occupation of the said premises, or for damages to the property of the lessee, or for injuries to the person of the lessee (if an individual), or for damages to the property or injuries to the person of the lessee's officers, agents, servants, or employees, or others who may be on said premises at their invitation or the invitation of anyone of them arising from or incident to the flooding of the said premises by the Government or flooding from any other cause, or arising from or incident to any other governmental activities; and the lessee shall hold the United States harmless from any and all such claims.

(3) That the work performed by the lessee on the lands shall be under the general supervision of the District Engineer, Corps of Engineers, in direct charge of the project, and subject to such conditions and regulations as may be prescribed by him, and the plans and location for all structures, appurtenances thereto, and work on said lands shall be submitted to the said District Engineer for approval, in advance, of

commencement of any work on said lands. The District Engineer shall have the right to enter on the premises, at any time, to inspect both the installation and operational activities of the lessee.(4) That no structure or appurtenance thereto shall be of a material or construction determined to create floatable debris.

(5) That the construction and operation of said structures and appurtenances thereto shall be of such a nature as not to cause pollution of the soils and the waters of the project.

(6) That the United States reserves the right to use the land jointly with the lessee in connection with the construction, operation, and maintenance of the Government project and to place improvements thereon or to remove materials therefrom, including sand and gravel and other construction material, as may be necessary in connection with such work, and the lessee shall not interfere, in any manner, with such work or do any act which may increase the cost of performing such work. If the cost of the work performed by the Government at and in connection with the project, including work performed on lands outside the property included in the lease, is made more expensive by reason of improvements constructed on the leased property by the lessee, the lessee shall pay to the United States money in an amount, as estimated by the Chief of Engineers, sufficient to compensate for the additional expense involved.

10-05-66, -67, -68, -69, -70, -71, -74,
10-05-75, -91, -96, -100, -113, -114, -115

NO SURFACE OCCUPANCY STIPULATION

No surface occupancy (NSO) of those lands below 1855 feet m.s.l. as they are within the floodplain of the Missouri River (Lake Sakakawea).

On the lands described below:

<u>PARCEL NO.</u>	<u>LAND DESCRIPTIONS</u>
10-05-66	T. 153 N, R. 93 W., 5th PM Sec. 8: Lots 2, 4; 26: Parts of Lots 1, 2, 3, NENW, SESE; Parts of SENW and NWSE; 35: Parts of Lots 1, 2; E2NE;
10-05-67	T. 153 N, R. 93 W, 5 TH PM Sec. 5: E2SW, SE; 8: N2NE;
10-05-68	T. 153 N, R. 93 W, 5 TH PM Sec. 20: Parts of SENE and NESE
10-05-69	T. 153 N, R. 93 W, 5 TH PM Sec. 21: S2NE, S2NW, N2SW, SE; 22: SWNE, E2NW, NWSE; 28: Lots 1, 2;
10-05-70	T. 153 N, R. 93 W, 5 TH PM Sec. 36: W2E2NW, W2W2, NWNESW, S2NESW, SESW, S2SWSE;
10-05-71	T. 147 N, R. 94 W, 5 TH PM Sec. 32: NW, NWSW;
10-05-74	T. 154 N, R. 94 W, 5 TH PM Sec. 31: Part of Lot 1; NWSE;
10-05-75	T. 154 N, R. 94, W, 5 TH PM Sec. 31: Parts of Lots 2,3,4,5; NESE;
10-05-91	T. 153 N, R. 98 W, 5 TH PM Sec. 26: Lots 1,2,3,4 34: NESW
10-05-96	T. 152 N, R. 101 W, 5 TH PM Sec. 1: S2SW;

PARCEL NO.

LAND DESCRIPTIONS

10-05-100

T. 152 N, R. 103 W, 5TH PM
Sec. 23: Parts of Lots 2 and 3;
Lot 4;

10-05-113

T. 151 N., R. 93 W., 5th PM
Sec. 5: Lots 1, 2;
5: Lot 3 and accretion to Lot 3;
5: Parts of Lots 4 and 5;
5: S2NE, NESW, S2SW, SE;
6: Lot 5;
7: Lots 2, 5, 6;
7: Parts of Lots 1 and 4;
7: SENE, SESW, SE;
8: NW, NWSWSW, W2SWSWSW,
W2E2SWSWSW;

10-05-114

T. 151 N., R. 93 W., 5th PM
Sec. 15: S2;
16: W2NESW, NWSW, S2SW, W2SWSE;
17: ALL;
18: Lots 1, 2, 3, 4;
18: E2, E2W2;

10-05-115

T. 151 N., R. 93 W., 5th PM
Sec. 19: Lots 1, 2, 3, 4;
19: E2, E2W2;
20: NW;
30: Lots 1, 2, 3, 4;
30: NWNE, W2SWNE, E2NW, NESW,
NWNESESW, N2NWSESW,
SWNWSESW, W2SWNWSE;
31: Lots 1, 2, 3, 4;

For the purpose of:

Protection of the floodplain from possible pollution (NDRMP - p. 20).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes. (For guidance on the use of this stipulation, see BLM Manual 1624 and 3101 or FS Manual 1950 and 2820.)

Endangered Species Act Section 7 Consultation Stipulation

The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that will contribute to a need to list such a species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modification of a designated or proposed critical habitat. BLM will not approve any ground-disturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act as amended, 16 U.S.C. § 1531 et seq., including completion of any required procedure for conference or consultation.

10-05-01 THRU 10-05-71
10-05-73 THRU 10-05-75
10-05-79
10-05-85
10-05-90 THRU 10-05-92
10-05-96
10-05-98
10-05-100
10-05-103
10-05-106 THRU 10-05-107
10-05-112 THRU 10-05-115

TES (BLM)

STATISTICS

Total Parcels:	115
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Total Acreages:	68,092.35
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